



To the Honorable Council
City of Norfolk, Virginia

March 10, 2015

From: David Ricks, Director of Public Works

Subject: Encroach into Granby Street and W. Plume Street rights-of-way at 101 W. Plume Street with existing awnings, cornices, Juliet balconies and fire escapes.

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-5

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** 131 Granby, LLC
101 W. Plume Street
Norfolk, Virginia

III. **Description**

This ordinance will authorize an encroachment permitting 131 Granby, LLC to encroach into Granby Street and W. Plume Street rights-of-way at 101 W. Plume Street with existing awnings, cornices, Juliet balconies and fire escapes.

IV. **Analysis**

An encroachment is an object or structure that infringes into the City of Norfolk's rights-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments onto city right-of-way or property to be approved by City Council. This encroachment in this location will allow 131 Granby, LLC to retain the existing encroachments into Granby Street and W. Plume Street at 101 W. Plume Street.

V. **Financial Impact**

Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$500,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office has reviewed this request for encroachment and offer no objections. Review and approval by the Architectural Review Board and the City Planning Commission is not required.

IX. Coordination/Outreach

This letter has been coordinated with Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (4 sheets)

Form and Correctness Approved:



By

Office of the City Attorney

Contents Approved:

By

DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING 131 GRANBY, LLC TO ENCROACH INTO GRANBY STREET AND W. PLUME STREET RIGHTS-OF-WAY AT 101 W. PLUME STREET WITH EXISTING AWNINGS, CORNICES, JULIET BALCONIES AND FIRE ESCAPES.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to 131 Granby, LLC (hereinafter known as "Owner") to encroach into Granby Street and W. Plume Street rights-of-way at 101 W. Plume Street with existing awnings, cornices, Juliet balconies and fire escapes, as shown on Exhibit A attached hereto, such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation Owner, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That Owner, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured in the minimum amount of \$500,000 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or Owner, and its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching

structures; that evidence of such insurance shall be filed with the Director of Risk Management of the City of Norfolk.

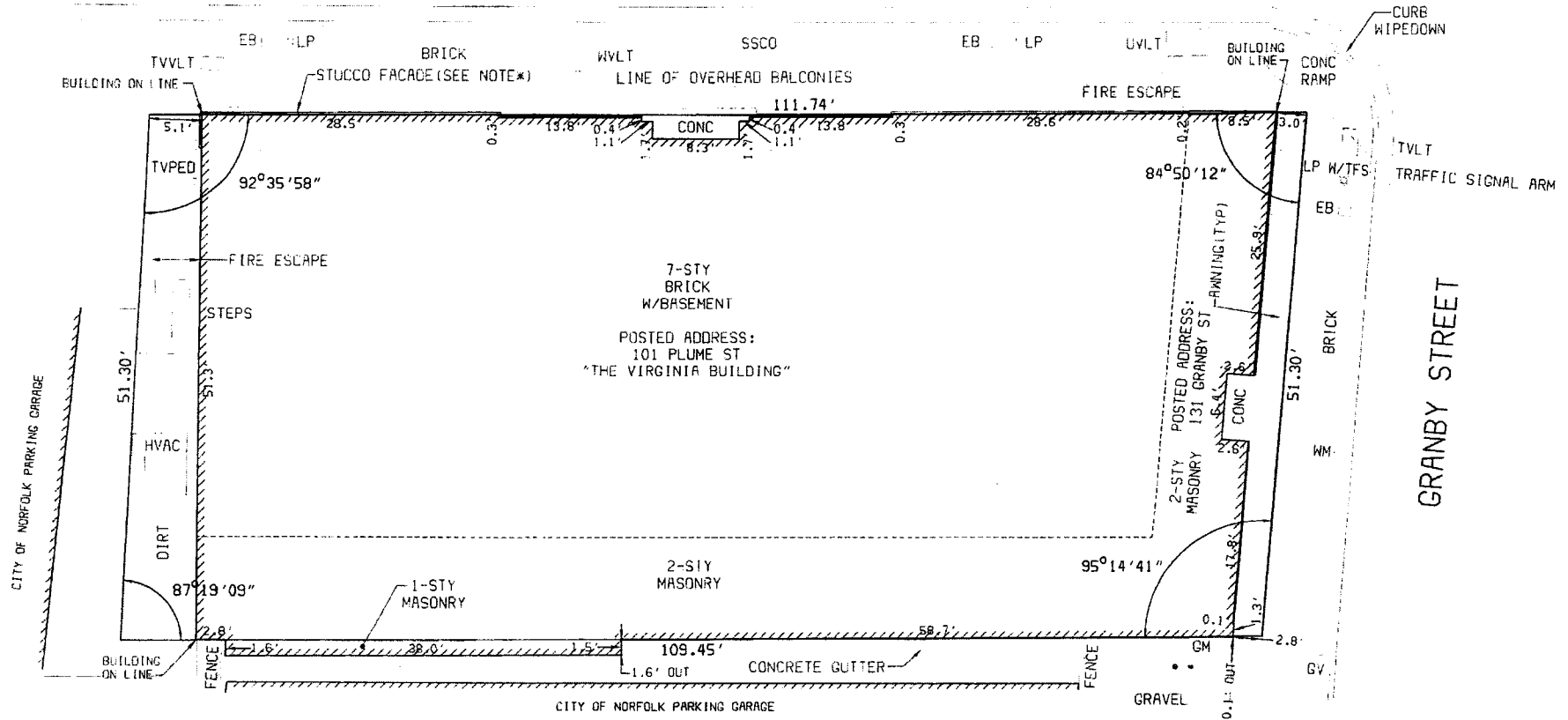
- (4) That the City of Norfolk shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way of Granby Street or W. Plume Street.

Section 2:- That the failure of Owner, or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by Owner, and its successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.

PLUME STREET



GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

TYMOFF+MOSS
ARCHITECTS
1000 15th St. N.W.
Washington, D.C. 20004
Tel: (202) 462-1100
Fax: (202) 462-1101

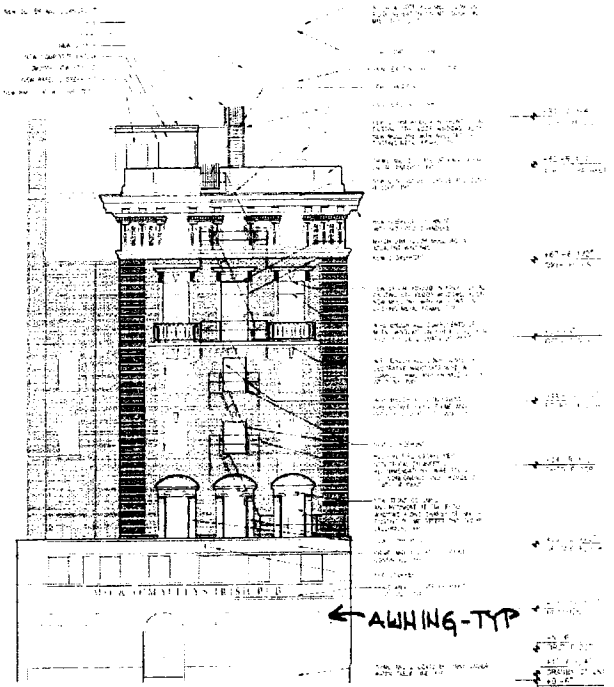
PRICING SET

VIRGINIA BUILDING APARTMENTS

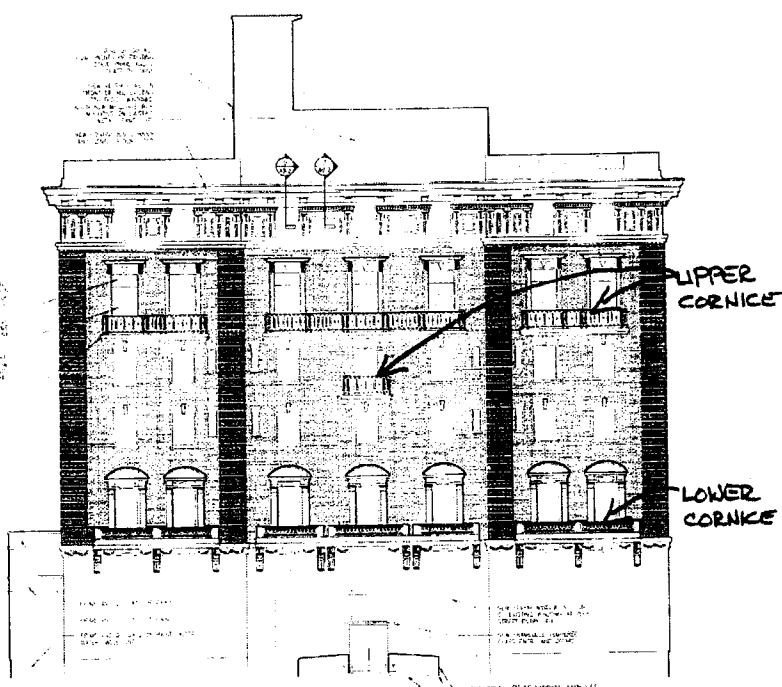
DATE AND
SCALE
ELEVATION

11.01.2011

A4.01

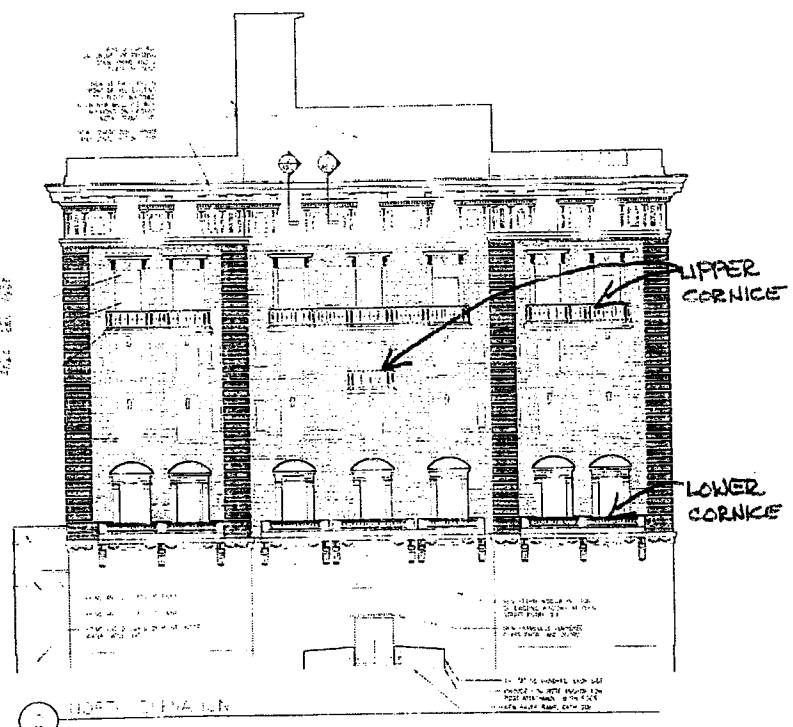
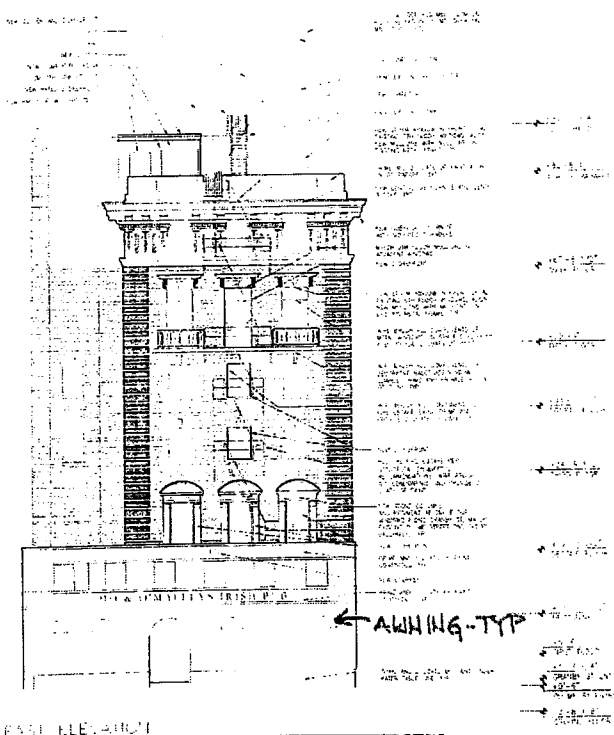


1 EAST ELEVATION



2 NORTH ELEVATION

GENERAL NOTES
 SEE SPECIFICATIONS FOR
 MATERIALS AND METHODS



TYMOFF+MOSS
 ARCHITECTS
 1000 14TH STREET, N.W.
 WASHINGTON, D.C. 20004

PRICING SET

VIRGINIA BUILDING APARTMENTS

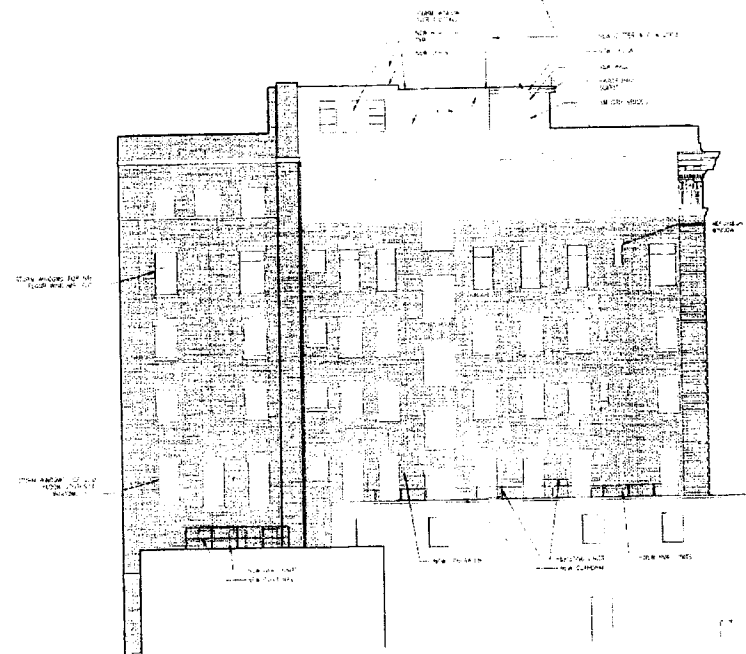
EAST AND NORTH ELEVATIONS

A4.01

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-01-2001 BY 60322 UCBAW



WILL CRYAN



JOINT ELEVATION

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